

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office FEB 13 1998
 Returned to applicant for correction MAR 10 1998
 Corrected application filed _____
 Map filed MAY 06 1998

The applicant Red Creek Ranch, Inc., A Colorado Corporation hereby make application for permission to change the Point of Diversion, Manner and Place of Use of water heretofore appropriated under Permit 6400, Certificate 3568

1. The source of water is Underground
2. The amount of water to be changed 0.399 c.f.s., not to exceed 193.85 acre-feet
3. The water to be used for Irrigation and Domestic
4. The water heretofore permitted for Irrigation and Domestic
5. The water is to be diverted at the following point NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21, T.12N., R.23E., M.D.B.&M., or at a point from which the N $\frac{1}{4}$ Corner of said Section 21 bears N.2° 45' 00" W., a distance of 3,350.0 feet.
6. The existing permitted point of diversion is located within SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, T.13N., R.23E., M.D.B.&M. (two artesian wells)
7. Proposed place of use See Exhibit "A", Attached.
8. Existing place of use 21.20 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$, 18.70 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, T.13N., R.23E., M.D.B.&M. The entire place of use is being removed from irrigation.
9. Use will be from January 1st to December 31st of each year.
10. Use was permitted from March 1st to November 1st of each year.
11. Description of proposed works A drilled and cased well, equipped with a Pump, Motor and Distribution System.
12. Estimated cost of works \$60,000.00
13. Estimated time required to construct works Two (2) years
14. Estimated time required to complete the application of water to beneficial use Five (5) years
15. Remarks: See Exhibit "B" Attached.

By Gregory M. Bilyeu - Agent
 s/ Gregory M. Bilyeu
 P.O. Box 70458
 Reno, Nevada 89570-0458

Compared gkl/cms

Protested SEE FILE

WITHDRAWN BY APPLICANT

agent
JAN 06 1999

Richard D. [Signature] STATE ENGINEER *CMS*

63837

_____ OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

EXHIBIT "A"**Proposed Place of Use:**

581.87 acres within the following subdivisions.

E $\frac{1}{2}$, Section 21, T.12N., R.23E., M.D.B. & M.

SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, T.12N., R.23E., M.D.B. & M.

N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, T.12N., R.23E., M.D.B. & M.

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, T.12N., R.23E., M.D.B. & M.

E $\frac{1}{2}$ NW $\frac{1}{4}$, Section 28, T.12N., R.23E., M.D.B. & M.

N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 28, T.12N., R.23E., M.D.B. & M.

Portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, T.12N., R.23E., M.D.B. & M.

Portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, T.12N., R.23E., M.D.B. & M.

The above described place of use is +/- 620 acres. The place of use is limited to 581.57 acres within said place of use.

Exhibit "B"

This application is being filed along with ten other applications to change the point of diversion and place of use of all or portions of Permits 6400, 6401, 6415, 7636, 7899, 11025, 37028, 37029, 37031 & 37032 (underground water rights) in Smith Valley, Nevada by Red Creek Ranch, Inc., a Colorado Corporation.

Said rights were previously owned by Trinox Company but were conveyed to Pruett Ranches, Inc. Documentation updating the chain of title to the applicant has been submitted to the State Engineer's office.

The water rights being transferred by these applications are not intended to be supplemental to any surface water rights from the West Walker River which may be appurtenant to the proposed place of use.

The total combined duty of this application and any other application being filed to change Permits 6401 and 11025 shall not exceed 619.90 acre-feet annually.

The total combined duty of this application and any other application being filed to change all or portions of Permits 6400, 6401, 6415, 7636, 7899, 11025, 37028, 37029, 37031 & 37032 shall not exceed 2,326.28 acre-feet annually.

